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**CITY OF SAN JOSE
DEVELOPMENT SERVICES**

Mr. Daryl Boyd, Principal Planner

City of San Jose

Department of Planning, Building and Code Enforcement

200 East Santa Clara Street

San Jose, Ca. 95113

June 28, 2007

Dear Mr. Boyd:

Thank you for the opportunity of submitting comments to the Draft Environmental Impact Report on the Coyote Valley Specific Plan. Of particular concern is the failure of the DEIR to deal with: (1) the inevitability of a prolonged, multi-year drought; and (2) the energy and greenhouse gas implications of the loss of prime local agricultural land.

It is clear that little or no time, energy, and money have been invested in considering the alternative of maintaining Coyote Valley as an open space consisting of parklands and intensive agricultural areas. It is my strong belief that a substantial majority of the people of San Jose favor this alternative. I am hopeful that the new leadership in San Jose will look to the interests of the citizens of the city, rather than to the interests of powerful developers who have funded the DEIR and so far dominated the civic conversation on Coyote Valley.

THE DEIR FAILS TO CONSIDER THE EFFECTS OF A MULTI-YEAR DROUGHT

It is only a matter of time before Coyote Valley suffers an extended drought. These multi-year occurrences are not just speculative or possible. They are part of our long term climate history-the last was 1987 through 1992- and, therefore, should be part of the planning process. Such consideration is even more necessary in the context of the now generally accepted fact that we are in a period of global warming. It is reasonable to conclude that future extended droughts will be even more severe. Consider that we are now only in the first year of drought after a number of above average rainfall years. Of course we do not know whether this is the first of several years of drought, but water authorities are already calling for conservation and reductions in use of our water resources.

An additional consideration that should be factored into the analysis of the impact of the proposed massive development is the uncertainty of the Delta water supply. Delta water has already been cut off for a period in 2007. Extended interruptions are predictable in the case of an extended drought. What would the effect of longer cutoffs be on the new city of eighty thousand?

Related to the Delta water supply is the uncertainty of the Sierra runoff that feeds fresh water to the Delta system. Will the expected reductions in the Sierra snowpack-which will be extremely severe in the context of an extended drought -further impact the Delta supply and the availability of water to the new city?

How will the paving of extensive portions of Coyote Valley affect groundwater storage in a period of drought? It appears that recharging of the groundwater would be substantially impacted.

How will the demands of a new city of 80,000 impact the water supply during the multi-year drought? Clearly, there will be a substantially greater demand for a drastically reduced supply, which will rebound to the detriment of the existing neighborhoods of San Jose.

In conclusion, the DEIR fails to account for the multi-year droughts that any climatologist will predict and, in particular, fails to factor in the effects of global warming, reduced Delta and Sierra water supplies, and the impact of paving of the important Coyote Valley groundwater recharge capacity and the increased demand of a major new city. Now is the time to consider these matters, not in time of severe extended drought after the project is approved.

THE DEIR FAILS TO CONSIDER THE GREENHOUSE GAS CONSEQUENCES OF THE LOSS OF PRIME LOCAL AGRICULTURAL LAND

With the recognition of the validity of global warming caused by emission of greenhouse gases, responsible jurisdictions are taking steps to protect and preserve local agriculture. The savings in energy in transporting food shorter distances is becoming a key part of the solution to this very serious problem. Clearly, retaining the prime agricultural land of northern Coyote Valley is exactly the kind of action that should be taken to address this concern. Any analysis should also consider steps that could be taken to stimulate intensive agriculture in this area so close to the city. The economics of farming could be bolstered by support from environmental groups that may be willing to contribute to the retention of this prime land. The City of San Jose could also take steps to facilitate farming in the area. In fact, it's fair to say that if even a small fraction of the time and resources devoted to developing these lands were devoted to considering how they might be saved and made a permanent asset to San Jose, the City would have a truer picture of the available alternatives.

Of course the Coyote Valley development will itself result in a substantial increase in the emission of greenhouse gases which must be considered in contrast to the reduction in emissions if the valley is preserved as a source of local foods.

Note also that under CEQA, Public Resources Code Sec. 21000 et seq., the EIR must consider the project's global warming impacts. On June 1, 2005, the Governor issued Executive Order S-3-05, recognizing California's vulnerability to global warming and the need to implement mitigation measures to limit impacts to the state. In 2006, Governor Schwarzenegger signed AB 32, the California Global Warming Solutions Act, which recognizes the threat of global warming to California and requires

California to reduce its greenhouse gas emissions to 1990 level by 2020. (Cal. Health & Safety Code Secs. 38501, 38550.) Failure to address the loss of local agriculture and the increase in greenhouse emissions caused by the project constitutes a violation of AB 32 and other applicable laws and regulations.

In conclusion, the DEIR fails to adequately address the impact of the project in the context of the next multi-year drought and fails to consider the greenhouse gas implications of the loss of the best existing agricultural lands adjacent to our city. It is to be hoped that these areas will receive serious independent analysis, and not just a biased and predictable response from the developers.

Respectfully,



Brian Carr

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